

Newport Daily News

VOL. VII.]

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SATURDAY MORNING, MARCH 6, 1863.

We publish, this morning, the speech of Gen. Greene, delivered in the Senate, on the so-called Maine Liquor Law. There is no flourish of words, no diagnostic display of vanity and egotism, and no extraneous matter in his remarks. It is a strong and able argument, strictly a legal argument, and will be read with deep interest by all, whether they are friendly or hostile to the Liquor Law.

Owing to the unpleasant weather, Thursday night, the steamer Empire State did not arrive here until 11 o'clock yesterday morning. The steamer Canonicus is now on the route, while the other boats, which were damaged by the collision Sunday morning, are being repaired.

The Supreme Court adjourned yesterday, at noon, having disposed of all the business on the Docket.

THE Mormons.—Mr. Bernhisel, the Delegate from Utah, has addressed a card to the *National Intelligencer*, denying the report that the Mormons had made a declaration of independence, and were in revolt against the federal government.

ACCIDENT AT THE CUSTOM HOUSE.—Col. Thos. M. Vinson, of the Boston Custom House, was seriously injured this morning by falling backward on the stone steps leading to the engineer's room of the Custom House. His head struck violently on the edge of the stairs, and received a severe gash just below the crown, without, however, fracturing the skull. Dr. Warren was immediately called in, and dressed the wound, after which the patient was conveyed to his residence in Dorchester.

Col. Vinson served in the last war with Great Britain, with Gen. Wool, in the Northern frontier; he is about 65 years of age, and is highly esteemed by a large circle of friends.—*Boston Herald*.

3 days later from Europe.

New York, March 4.
The steamship America, from Liverpool, Feb. 21, arrived at Halifax last night, but in consequence of the lines being broken shortly after 9 o'clock, it was impossible to send the news through.

The America brings 32 passengers, a portion of whom stop at Halifax.

The principal feature of the political news by this arrival is the resignation of the Russell ministry in England.

The resignation was wholly unexpected, and had created the most intense excitement.

No new Cabinet had been formed, and all was conjecture as to whom the Queen would call to her assistance.

The news from France and the Continent generally, presents no feature of exciting interest.

The Cotton market was extremely active at a slight advance. The sales of the week were upwards of 74,000 bales.

The value of breadstuffs, has undergone no material change since the departure of the steamer Franklin, on the 18th Feb.

The Provision market was steady.

Lard had slightly advanced.

ANOTHER ACCOUNT.

Her news is of an important character so far as England is concerned—otherwise, however, it is of not much consequence.

The Russell Ministry have been defeated on the local militia bill and had sent in their resignation.

Lord Palmerston moved that the word "local" should be taken out of the bill, and that the force should be parambulatory, not confined to England, Ireland, and Scotland merely, but be sent to any part of the Queen's dominions where it might be required.

On this proposal the Ministers joined issue and were defeated by a vote of 136 against 125, upon which Lord John Russell intimated that having lost the confidence of the House, he could no longer continue to hold office.

The event was quite unexpected—seeing that on the previous evening the Ministers had a large majority on Lord Russell's motion on the want of confidence arising out of the Clarendon and Birch affair, the members voting on that occasion being 147 for and 112 against the bill.

Various rumors were afloat at the sailing of the America, as to who would be the successor of Lord John Russell, as premier. A coalition between Sir James Graham and Lord Palmerston was confidently expected.

The proceedings in Parliament otherwise have been of slight importance.

There is nothing of much interest from the continent.

THE MAINE LAW.

Speech of Gen. Greene.
Upon the unconstitutionality of submitting to the popular vote, the enactment of the bill known as the "Maine Liquor Law."

Delivered in the Senate, February 10th.

May it please your Excellency:

I thank the Senate for the courtesy they have extended to me in the expression of their willingness to hear me this morning, without confining me to the time limited by the rules adopted yesterday. I would not avail myself of such courtesy on any occasion, when I did not think the subject one of great importance, and which ought to be acted on only after the most full and deliberate examination. Such I consider the question presented by the three last sections of the bill before us. The first of these sections provides, that:

"This act shall take effect from and after the first day of June, A. D. 1863, provided that a majority of the legal voters of this State, who shall vote the question is hereinafter provided, shall decide by their votes that they are in favor of the act, otherwise the same shall not go into effect until so ordered by act of the General Assembly."

The two following sections contain only the necessary provisions to carry out the object of the one just quoted.

In my remarks upon this bill, I have confined myself to the consideration of the question here presented, that of submitting the enactment of a law to a popular vote. I have taken this course because I believed the great constitutional question thus raised, to be one of paramount importance; and one that ought to be presented and considered by the members of this Senate, unconnected with the other interesting topics of discussion which the bill presents, and unaffected by my own opinions upon all or any of those topics; and for these reasons I propose to pursue the same course in the views I shall present this morning.

When I last addressed the Senate, I did so without preparation, and without having had the opportunity to give a full examination to the adjudicated cases which sustain the principles for which I contend. Least, however, the weight of these authorities should be impaired by the suggestion made by the Senator from Cranston, in his earnest and eloquent appeal, that the provisions of the Constitution of the States where these decisions were made, may differ from that of our own State, I propose to relieve the minds of gentlemen from that difficulty, by showing that they are all substantially the same in this respect.

The two first sections of the fourth article of our Constitution are in these words:

Of the Legislative Power.

"Sec. 1. This Constitution shall be the supreme law of the State, and any law inconsistent therewith shall be void. The General Assembly shall pass all laws necessary to carry this Constitution into effect."

"Sec. 2. The legislative power, under this Constitution, shall be vested in two houses, the one to be called the Senate, the other the House of Representatives; and both the General Assembly."

"The concurrence of the two houses shall be necessary to the enactment of laws. The style of their laws shall be, It is enacted by the General Assembly as follows."

[Mr. G. here read from the Constitutions of New York, Pennsylvania, and Delaware.]

It will be seen that there is here a verbal difference only, and it will not be pretended that these several Constitutions in this particular, are not in substance the same.

The 10th section of the 4th article of our Constitution, which was relied on by the Senator from Cranston and which declares that "the General Assembly shall continue the exercise of the powers they have heretofore exercised, unless prohibited in this Constitution," can have no application to the case of powers specifically delegated and defined. To give it a general application, would render the Constitution itself utterly nugatory; for before the time of its adoption the General Assembly exercised all the powers of government, uncontrolled by a written fundamental law.

I have, already said, I know of no such exercise of power by our General Assembly, prior to the adoption of our Constitution, and no such case has been yet produced. But if such a case can be found, it can have no application now.

I will now call the attention of the Senate to the cases of Rice vs. Foster, 4 Harr. (Delaware), reports, 477, and Parker vs. Commonwealth, 6 Bars, re-perta, (Pennsylvania,) p. 507, in both which cases it was decided that a provision such as we are now considering, was unconstitutional and that the laws containing it were void.

[Mr. Greene here read from the cases referred to.]

In the case Rice vs. Foster the points decided by the Court are thus stated by the reporter:

"Law is a rule of conduct prescribed by legislative power for the government of citizens of a State."

Legislative power in this State is vested in a General Assembly, consisting of a Senate and House of Representatives."

The people have divested themselves of legislative power, and vested it in this body. They can resume it only in the form of the constitution by resolution.

The General Assembly cannot delegate this power to any other person or body, not even to the people at large; nor can they make it depend on the assent or approval of any other.

The citizen is bound to obey the will of the legislature as prescribed in the written statute.—If the statute in itself give no evidence of legislative will as a rule of conduct, the citizen cannot obey it; if it subject the legislative will to any other will, the citizen is not bound to obey it."

The act of 1842, authorizing the rental of intoxicating liquors shall be permitted among them, expresses no legislative will on this question, prescribes no rule of conduct for the government of the citizen, and delegates legislative power to the people of each county."

The reporter thus states the decision of the Court in the case in Pennsylvania:

"Under the Constitution of Pennsylvania, legislative power must be exercised by the legislative body created by that Constitution. Hence the act of 1842, giving the citizens of certain counties the power to decide by a vote whether the sale of vicious and spirituous liquors shall be continued within such counties, and imposing a penalty for the sale of such liquors, where a majority of the voters had been against such sale, is unconstitutional and void."

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LIFE INSURANCE

ATNA INSURANCE CO., HARTFORD, CONN.

ANNUITY FUND, \$150,000.

Sure—Noddy—Economy.

This long established and well known company

having organized a new department for life insurance, with an entirely distinct capital exclusively placed with its retarded accumulations for the payment of losses upon life insurance only;

is prepared to issue policies on lives at rates materially reduced from those charged by the mutual companies, and as low as is consistent with ultimate safety.

The system adopted by this company is to ascertain precisely what it is worth to insure a certain amount upon a life, and to charge precisely that sum and no more;

not to require a larger premium than is actually

required for the purpose, with the promise of

returning, under the defalcation, name of profits or

dividends, the excess premium which ought

never to have been taken.

It is intended to call and examine the Subscribers Stock, which comprises every style and variety of color and quality.

The subscriber has now in his possession a Superior assortment of Cotton, Gingham,

and Silk Umbrellas, of superior manufacture,

which he offers for sale for Cash, or approved

credit, at prices which defy all competition.

In the article of Parasols, for instance, he is

prepared to make a profit of 25% on his cost.

He has long been engaged in this business,

telling the success of his business, and the

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